

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

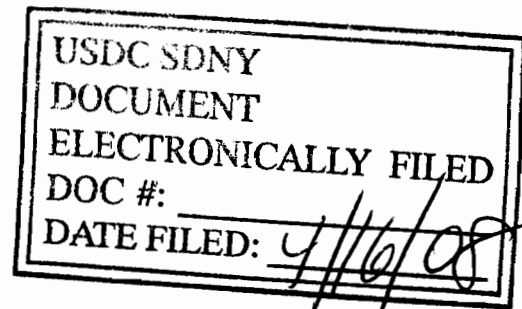
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LABORATOIRES CARILÈNE S.A.S.,

Plaintiff/Counterclaim Defendant,

-against-

AURIGA LABORATORIES, INC.,

Defendant/Counterclaim Plaintiff.
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07 Civ. 9616 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

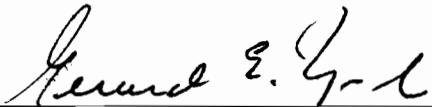
The Court has received letters from counsel for both parties addressing defendant Auriga Laboratories, Inc.'s request for "an order staying discovery and all other proceedings in the case for 60 days, to permit the parties to continue the active settlement negotiations they are engaged in." (Ltr. from David A. Zwally to the Court, April 9, 2008, at 1.) Plaintiff Laboratoires Carilène S.A.S. ("Carilène") objects to a stay and requests that the Court "direct that Auriga produce documents responsive to Carilène's first document requests, and supply a privilege log, with[in] ten days." (Ltr. from Michael Fischman to the Court, April 10, 2008, at 3.)

As fact discovery is scheduled to close on June 6, 2008, the prospect of engaging in extensive discovery and depositions should act as an incentive for the parties if they are serious about reaching a settlement. Postponing that deadline by sixty days may very well undermine the sense of urgency and momentum so often necessary for parties to reach agreement. To the extent that plaintiff is correct that "the parties remain so far apart . . . that we see no purpose in a stay of the litigation" (Ltr. from Michael Fischman to the Court, April 10, 2008, at 1), a stay would only needlessly delay the resolution of this litigation.

Accordingly, having carefully considered the arguments presented by both parties, it is hereby ORDERED that defendant's request for a stay is denied. In addition, given the slow pace of discovery in this case thus far, defendant is ordered to produce documents responsive to plaintiff's first document requests, and to supply a privilege log, within ten days of the entry of this Order.

SO ORDERED.

Dated: New York, New York
April 16, 2008


GERARD E. LYNCH
United States District Judge